

***NOT FOR PUBLICATION ***

NO. 25899

IN THE SUPREME COURT OF THE STATE OF HAWAI'I

STATE OF HAWAI'I, Plaintiff-Appellee

vs.

ARTHUR GOINGS, JR., Defendant-Appellant

APPEAL FROM THE SECOND CIRCUIT COURT
(FC-CR. NO. 02-1-0461)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon review of the record, it appears that this court informed Appellant by order dated September 25, 2003, to either pay the filing fee or submit a motion to proceed in forma pauperis. The order further stated that failure to comply with the order may result in sanctions, including the dismissal of the appeal. Appellant has neither paid the filing fee nor submitted a motion to proceed in forma pauperis. Therefore,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawai'i, November 18, 2003.